

this Amendment, claims 15, 16, 23 and 24 have been canceled. Thus, claims 11-14, 17-22 and 25-33 are remaining for further examination.

First, it is noted that the amendments herein have obviated the nonstatutory double patenting rejection set forth in paragraph 10 of the Office Action. Thus, withdrawal of this rejection is respectfully requested.

Claims 11, 13, 14, 17-22, 25-27, 30 and 31 have been rejected under 35 USC 102 as allegedly being anticipated by Garrido. (U.S. Pat. No. 5,451,053). For at least the reasons set forth below, Applicant respectfully submits that none of these claims are anticipated or rendered obvious by Garrido. Moreover, none of the remaining references of record make up for the deficiencies of Garrido. Thus, withdrawal of the rejection and allowance of all claims as presently presented are respectfully requested

More particularly, Garrido is directed to a reconfigurable video game controller for use with a video game console, wherein a supplemental action switch customizing cartridge (see element 80 in Fig. 1) is provided in a manner which enables the cartridge to be removably plugged into the controller. The cartridge is operable to modify the functionality of existing action switches on the controller thereby enabling the controller to be tailored for a particular video

game. As can be seen in Figs. 4 and 5, the cartridge includes a circuit modifier board 82 which can be used to create and vary the circuit paths for transmission of the action signals and directional signals through the controller cable 60 for use by the video game.

Garrido clearly fails to identically disclose each and every feature of the invention as defined in claim 11, as required for anticipation under section 102. In particular, Garrido does not disclose or suggest "processing circuitry for responding to a command from said game program executing processing system to transmit said joystick data to said game program executing processing system", as expressly required by claim 11. In contrast to the claimed invention, Garrido does not send the joystick data in response to a command from the game program executing processing system. In fact, in Garrido, the action signals are sent directly to the game console through the cable 60 immediately upon actuation of the action buttons. Thus, Garrido clearly does not support the rejection under 35 USC 102. Moreover, none of the other references of record make up for the clear deficiencies of Garrido. Thus, withdrawal of the rejection of claim 11 and all claims which depend therefrom are respectfully requested. .

The rejection of independent claim 19 is also not supported by Garrido. Claim 19 requires that the portable storage device include video game instructions which cause the game program executing processing system to send a command to the controller to transmit the joystick data. As explained above, in the system of Garrido, the action signals are transmitted in response to a command from the game program executing processing system. Moreover, the controller of Garrido does not include instructions which cause the game program executing processing system to send a command requesting the joystick data. Instead, the action signals are sent directly to the game console upon activation of the action buttons. There is no disclosure or suggestion in Garrido of game instructions which cause the a command to be sent to the controller requesting the transmission of the joystick data, as expressly required by claim 19. Thus, the rejection of independent claim 19 is improper for substantially the same reason as the rejection of claim 11. Accordingly, withdrawal of the rejection of claim 19 and all claims which depend therefrom are respectfully requested.

With respect to independent claim 27, Garrido also fails to disclose the claimed feature of having instructions in the portable storage device for displaying a plurality of player controlled objects each having distinctive associated motion

characteristics, and instructions for responding to changes in the joystick position to control the selection of one of the plurality of player controlled objects. While Garrido does provide a reconfigurable video game controller, it does not enable the selection of a player controlled object in the manner defined in claim 27. More particularly, Garrido fails to, *inter alia*, provide a display displaying a plurality of player controlled objects each having a distinctive associated motion characteristic (see e.g. Fig. 29 of the instant application), or instructions for enabling the joystick to be used to select one of the player controlled objects for use in the game, as defined in claim 27. Thus, Garrido clearly does not identically disclose each and every feature of claim 27 as required for anticipation under Section 102. Moreover, none of the remaining references of record overcome this clear deficiency. Thus, allowance of claim 29 and all claims which depend therefrom are also respectfully requested.


In view of the foregoing amendments and remarks, Applicant submits that all of the claims are now in condition for allowance. Thus, withdrawal of the rejections and passage of the case to issuance at an early date are earnestly solicited.

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Should the Examiner have any questions, or believe that further issues need to be addressed prior to allowance, the Examiner is invited to telephone the undersigned attorney at the phone number below.

Respectfully submitted,
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